

FILED

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3 10474 Santa Monica Blvd., Suite 401  
4 Los Angeles, CA 90025  
5 Tel: 323-988-2400 x235  
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magruss@consumerlawcenter.com  
Attorneys for Plaintiff,  
BETTY TUCKER

2011 AUG -9 AM 11:33

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF  
RIVERSIDE

BY

6  
7 UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

8 BETTY TUCKER,

9 Plaintiff,

10 v.

11 PORTFOLIO RECOVERY ASSOCIATES, LLC,

13 Defendant

CV 11 - 06584

) Case No.:

) COMPLAINT AND DEMAND FOR  
JURY TRIAL

ODW

(OPX)

15 VERIFIED COMPLAINT

16 Plaintiff, BETTY TUCKER (Plaintiff), through her attorneys, KROHN & MOSS, LTD.,  
17 alleges the following against Defendant, PORTFOLIO RECOVERY ASSOCIATES, LLC  
(Defendant):

19 INTRODUCTION

20 1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15  
21 U.S.C. 1692 et seq.* (FDCPA).

22 2. Count II of the Plaintiff's Complaint is based on Rosenthal Fair Debt Collection  
23 Practices Act, *Cal. Civ. Code §1788 et seq.* (RFDCPA).

24 JURISDICTION AND VENUE

25 3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such  
actions may be brought and heard before "any appropriate United States district court

1 without regard to the amount in controversy," and 28 U.S.C. 1337 grants this court  
2 supplemental jurisdiction over the state claims contained within.

3 4. Defendant conducts business in the state of California, and therefore, personal  
4 jurisdiction is established.

5 5. Venue is proper pursuant to 28 U.S.C. 1331(b)(2).

6 **PARTIES**

7 6 Plaintiff is a natural person residing in Perris, Riverside County, California.

8 7 Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to  
9 Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5)  
10 and Cal. Civ. Code § 1788.2(h).

11 8 Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6) and Cal. Civ.  
12 Code § 1788.2(c), and sought to collect a consumer debt from Plaintiff.

13 9 Defendant is a collection agency with a business office in Norfolk, Virginia.

14 10 Defendant acted through its agents, employees, officers, members, directors, heirs,  
15 successors, assigns, principals, trustees, sureties, subrogees, representatives, and  
16 insurers.

17 **FACTUAL ALLEGATIONS**

18 11 Defendant is attempting to collect a debt from Plaintiff on behalf of the original creditor,  
19 World Financial Network National Bank, with an account number ending in 2143

20 12 Plaintiff's alleged debt owed to World Financial Network National Bank arises from  
21 transactions for personal, family, and household purposes.

22 13 On April 13, 2011, Plaintiff's counsel faxed a cease and desist and a notice of  
23 representation letter to Defendant (Plaintiff's counsel's letter to Defendant and fax  
24 confirmation are attached as Group Exhibit A).

25 14 Despite receiving Plaintiff's counsel's letter (Exhibit A), Defendant communicated with

1 Plaintiff after April 13, 2011, in an attempt to collect a debt.

2 15. Despite receiving Plaintiff's counsel's letter (Exhibit A), Defendant continued to place  
3 collection calls to Plaintiff after April 13, 2011, and continued to communicate with  
4 Plaintiff in an attempt to collect a debt.

5 16. For example, on or about June 6, 2011, Defendant placed a collection call to Plaintiff  
6 and communicated with Plaintiff in an attempt to collect a consumer debt.

7

8 **COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

9 17. Defendant violated the FDCPA based on the following:

10 a. Defendant violated §1692c(a)(2) of the FDCPA by communicating with Plaintiff  
11 even though Defendant knew Plaintiff was represented by an attorney.  
12 b. Defendant violated §1692c(e) of the FDCPA by communicating with Plaintiff  
13 after Defendant received Plaintiff's cease and desist letter.  
14 c. Defendant violated §1692d of the FDCPA by engaging in conduct that the  
15 natural consequences of which was to harass, oppress, and abuse Plaintiff in  
16 connection with the collection of an alleged debt.  
17 d. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring  
18 repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.

19 WHEREFORE, Plaintiff, BETTY TUCKER, respectfully requests judgment be entered  
20 against Defendant, PORTFOLIO RECOVERY ASSOCIATES, LLC, for the following:

21 18. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15  
22 *U.S.C. 1692k*,  
23 19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,  
24 *15 U.S.C. 1692k*  
25 20. Any other relief that this Honorable Court deems appropriate.

**COUNT II**  
**DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT COLLECTION  
PRACTICES ACT**

21. Plaintiff repeats and realleges all of the allegations in Count I of Plaintiff's Complaint as the allegations in Count II of Plaintiff's Complaint.
22. Defendant violated the RFDCPA based on the following:
  - a. Defendant violated the *§1788.14(c)* of the RFDCPA by communicating with Plaintiff even though Defendant knew Plaintiff was represented by an attorney.
  - b. Defendant violated *§1788.11(b)* of the RFDCPA by placing telephone calls without disclosure of the caller's identity.
  - c. Defendant violated *§1788.11(d)* of the RFDCPA by causing Plaintiff's telephone to ring repeatedly and continuously so as to annoy Plaintiff.
  - d. Defendant violated the *§1788.17* of the RFDCPA by continuously failing to comply with the statutory regulations contained within the FDCPA, *15 U.S.C. §*

WHEREFORE, Plaintiff, BETTY TUCKER, respectfully requests judgment be entered against Defendant, PORTFOLIO RECOVERY ASSOCIATES, LLC. for the following:

23. Statutory damages of \$1,000.00 pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ. Code § 1788.30(b)*,
24. Costs and reasonable attorneys' fees pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ. Code § 1788.30(c)*, and
25. Any other relief that this Honorable Court deems appropriate.

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, BETTY TUCKER, demands a jury trial in this case.

1 RESPECTFULLY SUBMITTED,

2 DATED: July 25, 2011

3 KROHN & MOSS, LTD.

4 By: /s/ 

5 Michael S. Agruss  
6 Attorney for Plaintiff,  
7 BETTY TUCKER

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF CALIFORNIA

Plaintiff, BETTY TUCKER, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, BETTY TUCKER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

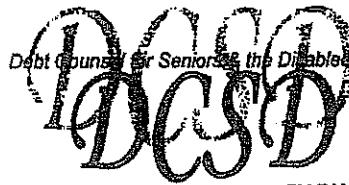
DATE: July 29, 2011

Betty Tucker  
BETTY TUCKER

1  
2 **EXHIBIT A**  
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April 13, 2011

BY FAX ONLY: 757-321-2504

Page 1 of 3

Collections Manager  
Portfolio Recovery Associates, LLC  
120 Corporate Blvd  
Norfolk, VA 23502

**Re: Betty Tucker**  
**Your reference # Ending in 2143 - Catherine: Ending in 2143**  
**Our file # 10352**

To Whom It May Concern:

Please be advised that my law firm represents the above-referenced client(s) for the purpose of enforcing their rights pursuant to all applicable federal debt collection laws. Debt Counsel for Seniors and the Disabled exclusively represents clients who are senior citizens, disabled or both and whose only income (e.g. social security, disability, etc.) is protected by federal law. This client regrets not being able to pay however, at this time they are insolvent as their monthly expenses exceed the amount of income they receive

This letter serves as notice that my client hereby disputes the above-referenced alleged debt and requests validation of it in accordance with 15 U.S.C. § 1692g. Please provide the name and address of the original creditor, if different from the current creditor. Unless and until this validation is furnished, we do not recognize any right on your part to collect any amount from our client through credit reporting or any other means. Please be advised that the continuation of collection activity without adequately responding to the validation request, could result in a lawsuit against you pursuant to 15 U.S.C. §1692g(b).

As the client's attorney, I respectfully inform you that you must cease contacting them pursuant to 15 U.S.C. § 1692c(a)(2) and 1692c(c). I have attached a signed cease and desist order from my client(s). If and when you violate these statutes, I will not hesitate to pursue with local co-counsel all legal remedies on behalf of my client(s).

Sincerely,

A handwritten signature of Jerome S. Lamet.

Jerome S. Lamet  
Supervising Attorney  
Debt Counsel for Seniors and the Disabled

Cc: Betty Tucker

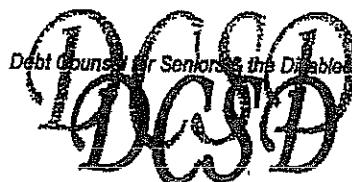
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Jerome S. Lamet, Supervising Attorney  
The Poulak Building  
542 South Dearborn  
Suite 1260  
Chicago, Illinois 60605  
V: (312) 939-2221  
F: (312) 356-3199

TRANSMISSION VERIFICATION REPORT

TIME : 04/13/2011 14:55  
NAME : JEROME LANET LTD  
FAX : 13123553199  
TEL : 13129392221  
SER. #: BR0DBJ797996

|              |             |
|--------------|-------------|
| DATE, TIME   | 04/13 14:55 |
| FAX NO./NAME | 17573212504 |
| DURATION     | 00:00:37    |
| PAGE(S)      | 03          |
| RESULT       | OK          |
| MODE         | STANDARD    |
|              | ECM         |



April 13, 2011

BY FAX ONLY: 757-321-2504  
Page 1 of 3

Collections Manager  
Portfolio Recovery Associates, LLC  
120 Corporate Blvd  
Norfolk, VA 23502

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**Our file # 10352**

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As the client's attorney, I respectfully inform you that you must cease contacting them pursuant to 15 U.S.C. § 1692c(a)(2) and 1692c(c). I have attached a signed cease and desist order.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BETTY TUCKER,

v.

PORTFOLIO RECOVERY ASSOCIATES, LLC,

DEFENDANT(S).

CASE NUMBER

CV 11 - 06524

ODW

(OPX)

SUMMONS

TO: DEFENDANT(S): PORTFOLIO RECOVERY ASSOCIATES, LLC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Michael S. Agruss, Esq., whose address is Krohn & Moss, Ltd.; 10474 Santa Monica Blvd., Suite 401; Los Angeles, CA 90025. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

TERRY NAFISI

Clerk, U.S. District Court

Dated: AUG - 9 2011

By: \_\_\_\_\_

Deputy Clerk



(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

I (a) PLAINTIFFS (Check box if you are representing yourself )  
BETTY TUCKER

DEFENDANTS  
PORTFOLIO RECOVERY ASSOCIATES, LLC,

(b) Attorneys (Firm Name, Address and Telephone Number If you are representing yourself, provide same)

Krohn & Moss, Ltd ; Michael S Agruss, Esq  
10474 Santa Monica Blvd , Suite 401; Los Angeles, CA 90025  
(323) 988-2400

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only )

1 U.S. Government Plaintiff  3 Federal Question (U.S. Government Not a Party)  
 2 U.S. Government Defendant  4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant )

|   |                                |                                |   |                                |                                |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State                   | <input type="checkbox"/> PIF 1 | <input type="checkbox"/> DEF 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> PIF 4 | <input type="checkbox"/> DEF 4 |
| Citizen of Another State                | <input type="checkbox"/> 2     | <input type="checkbox"/> 2     | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5     | <input type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3     | <input type="checkbox"/> 3     | Foreign Nation  | <input type="checkbox"/> 6     | <input type="checkbox"/> 6     |

IV. ORIGIN (Place an X in one box only )

1 Original  2 Removed from State Court  3 Remanded from Appellate Court  4 Reinstated or Reopened  5 Transferred from another district (specify):  6 Multi-District Litigation  7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND:  Yes  No (Check 'Yes' only if demanded in complaint )

CLASS ACTION under F.R.C.P. 23:  Yes  No

MONEY DEMANDED IN COMPLAINT: \$ \_\_\_\_\_

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity )  
15 USC 1692 et seq.; Unlawful and Abusive Debt Collection Practices

VII. NATURE OF SUIT (Place an X in one box only.)

| OTHER STATUTES   | CONTRACT  | TORTS   | TORTS  | PRISONER   | LABOR  |
|--|---|---|--|--|--|
| <input type="checkbox"/> 400 State Reapportionment                                     | <input type="checkbox"/> 110 Insurance  | <input type="checkbox"/> PERSONAL INJURY                                | <input type="checkbox"/> PERSONAL PROPERTY                           | <input type="checkbox"/> PETITIONS                                       | <input type="checkbox"/> 710 Fair Labor Standards Act              |
| <input type="checkbox"/> 410 Antitrust   | <input type="checkbox"/> 120 Marine   | <input type="checkbox"/> 310 Airplane                                   | <input type="checkbox"/> 370 Other Fraud                             | <input type="checkbox"/> 510 Motions to Vacate Sentence                  | <input type="checkbox"/> 720 Labor/Mgmt Relations                  |
| <input type="checkbox"/> 430 Banks and Banking   | <input type="checkbox"/> 130 Miller Act   | <input type="checkbox"/> 315 Airplane Product Liability                 | <input type="checkbox"/> 371 Truth in Lending                        | <input type="checkbox"/> 530 Habeas Corpus                               | <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act |
| <input type="checkbox"/> 450 Commerce/ICC Rates/etc                                    | <input type="checkbox"/> 140 Negotiable Instrument                              | <input type="checkbox"/> 320 Assault, Libel & Slander                   | <input type="checkbox"/> 380 Other Personal Property Damage          | <input type="checkbox"/> 535 General                                     | <input type="checkbox"/> 740 Railway Labor Act                     |
| <input type="checkbox"/> 460 Deportation   | <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment  | <input type="checkbox"/> 330 Fed Employers' Liability                   | <input type="checkbox"/> 385 Property Damage                         | <input type="checkbox"/> 540 Mandamus/Other                              | <input type="checkbox"/> 790 Other Labor Litigation                |
| <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations            | <input type="checkbox"/> 151 Medicare Act                                       | <input type="checkbox"/> 340 Marine                                     | <input type="checkbox"/> 395 Product Liability                       | <input type="checkbox"/> 550 Civil Rights                                | <input type="checkbox"/> 791 Empl Ret Inc Security Act             |
| <input checked="" type="checkbox"/> 480 Consumer Credit                                | <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl Veterans) | <input type="checkbox"/> 345 Marine Product Liability                   | <input type="checkbox"/> 422 Appeal 28 USC 158                       | <input type="checkbox"/> 555 Prison Condition                            | <input type="checkbox"/> PROPERTY RIGHTS                           |
| <input type="checkbox"/> 490 Cable/Sat TV  | <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits      | <input type="checkbox"/> 350 Motor Vehicle                              | <input type="checkbox"/> 423 Withdrawal 28 USC 157                   | <input type="checkbox"/> FORFEITURE/PENALTY                              | <input type="checkbox"/> 820 Copyrights                            |
| <input type="checkbox"/> 810 Selective Service   | <input type="checkbox"/> 160 Stockholders' Suits                                | <input type="checkbox"/> 355 Motor Vehicle Product Liability            | <input type="checkbox"/> 441 Voting                                  | <input type="checkbox"/> 610 Agriculture                                 | <input type="checkbox"/> 830 Patent                                |
| <input type="checkbox"/> 850 Securities/Commodities/ Exchange                          | <input type="checkbox"/> 161 Other Contract                                     | <input type="checkbox"/> 360 Other Personal Injury                      | <input type="checkbox"/> 442 Employment                              | <input type="checkbox"/> 620 Other Food & Drug                           | <input type="checkbox"/> 840 Trademark                             |
| <input type="checkbox"/> 875 Customer Challenge 12 USC 3410                            | <input type="checkbox"/> 162 Contract Product Liability                         | <input type="checkbox"/> 362 Personal Injury-Med Malpractice            | <input type="checkbox"/> 443 Housing/Accommodations                  | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> SOCIAL SECURITY                           |
| <input type="checkbox"/> 890 Other Statutory Actions                                   | <input type="checkbox"/> 163 Franchise  | <input type="checkbox"/> 365 Personal Injury-Product Liability          | <input type="checkbox"/> 444 Welfare                                 | <input type="checkbox"/> 630 Liquor Laws                                 | <input type="checkbox"/> 861 HIA (1395ff)                          |
| <input type="checkbox"/> 891 Agricultural Act  | <input type="checkbox"/> 210 Land Condemnation                                  | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 445 American with Disabilities - Employment | <input type="checkbox"/> 640 R.R. & Truck                                | <input type="checkbox"/> 862 Black Lung (923)                      |
| <input type="checkbox"/> 892 Economic Stabilization Act                                | <input type="checkbox"/> 220 Foreclosure  | <input type="checkbox"/> IMMIGRATION                                    | <input type="checkbox"/> 446 American with Disabilities - Other      | <input type="checkbox"/> 650 Airline Regs                                | <input type="checkbox"/> 863 DIWC/DIWW (405(g))                    |
| <input type="checkbox"/> 893 Environmental Matters                                     | <input type="checkbox"/> 230 Rent Lease & Ejectment                             | <input type="checkbox"/> 462 Naturalization Application                 | <input type="checkbox"/> 447 Other Civil Rights                      | <input type="checkbox"/> 660 Occupational Safety /Health                 | <input type="checkbox"/> 864 SSID Title XVI                        |
| <input type="checkbox"/> 894 Energy Allocation Act                                     | <input type="checkbox"/> 240 Torts to Land                                      | <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee               | <input type="checkbox"/> 448 Other                                   | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 865 RSI (405(g))                          |
| <input type="checkbox"/> 895 Freedom of Info Act                                       | <input type="checkbox"/> 245 Tort Product Liability                             | <input type="checkbox"/> 465 Other Immigration Actions                  |  |  | <input type="checkbox"/> FEDERAL TAX SUITS                         |
| <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice | <input type="checkbox"/> 290 All Other Real Property                            |   |  |  | <input type="checkbox"/> 870 Taxes (U.S Plaintiff or Defendant)    |
| <input type="checkbox"/> 950 Constitutionality of State Statutes                       |   |   |  |  | <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609           |

CV 11 - 06524 (OP)  
ODW

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

(Check all boxes that apply)  A Arise from the same or closely related transactions, happenings, or events; or  
 B Call for determination of the same or substantially related or similar questions of law and fact; or  
 C For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

|  |   |
|--|---|
| County in this District:<br>Riverside (CA) | California County outside of this District; State, if other than California; or Foreign Country |
|--|---|

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

|  |   |
|--|---|
| County in this District:<br>Norfolk VA | California County outside of this District; State, if other than California; or Foreign Country |
|--|---|

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

|  |   |
|--|---|
| County in this District:<br>Riverside (CA) | California County outside of this District; State, if other than California; or Foreign Country |
|--|---|

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved**

**X SIGNATURE OF ATTORNEY (OR PRO PER):**

Date August 4, 2011

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action  |
|---------------------|--------------|---|
| 861                 | HIA          | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program (42 U.S.C. 1935FF(b)) |
| 862                 | BL           | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923)  |
| 863                 | DIWC         | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability (42 U.S.C. 405(g))   |
| 863                 | DIWW         | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))   |
| 864                 | SSID         | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.   |
| 865                 | RSI          | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))  |

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Oswald Parada.

The case number on all documents filed with the Court should read as follows:

**CV11- 6524 ODW (OPx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

---

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you